

## REMARKS

The present amendment is being filed under a Certificate of Mailing as indicated. Claims 1-6, 8-10, 12-19, and 21-34 are pending. Claims 7, 11, and 20 were previously cancelled. Claims 1, 18, 30 and 34 have been amended.

### **§103**

Claims 1-34 were rejected under 35 U.S.C. §103(a) as being anticipated by U.S. Pat. No. 7,048,740 to White (“White”) in view of U.S. Pat. No. 6,027,503 to Khalili et al (“Khalili”). Independent claim 1 is directed to an acetabular reamer that includes a body defining a relief surface that is operably connected to and defines an edge of a peripheral surface of the body. Independent claim 1 recites that the peripheral surface (14) is a truncated hemisphere with its boundaries defined by the two end surfaces (20) and the relief surfaces (22). The support structures extend along the relief surfaces and extend inwardly from the relief surfaces toward the origin.

It is the Applicants’ opinion that neither White nor Khalili disclose a reamer having two end surfaces, two relief surfaces, and being a truncated hemisphere that is defined by the two end surfaces and the two relief surfaces. Khalili is a truncated hemisphere, but its boundary is only defined by an end surface. White does not disclose a truncated hemisphere and the boundary of the reamer’s surface is solely defined by the end surface. The portion referred to as the “relief” surface in White, is actually armatures for connecting the reamer to the mounting bar. They do not define a truncate hemisphere. In fact, should it be considered that they define the peripheral surface, then the armatures disclose an extended hemisphere, which is the opposite of a truncated hemisphere.

There is no suggestion or teaching in White or Khalili that the truncated hemisphere is defined by two end surfaces and two relief surfaces. For at least this reason, claim 1 is believed to be allowable over the prior art.

Independent claim 18 also recites a truncated hemisphere that is defined by the two end surfaces and the two relief surfaces. As stated above in reference to claim 1, neither White nor Khalili discloses this feature. For at least this reason, claim 18 and its dependents are believed to be allowable over the prior art.

Independent claim 30 also recites a truncated hemisphere that is defined by the two end surfaces and the two relief surfaces. Therefore, for at least the reasons discussed in

relation to claim 1, independent claim 30 and its dependents are believed to be allowable over the prior art.

Independent claim 34 also recites a truncated hemisphere that is defined by the two end surfaces and the two relief surfaces. Therefore, for at least the reasons discussed in relation to claim 1, independent claim 34 is believed to be allowable over the prior art.

### **Conclusion**

For the above-described reasons it is respectfully submitted that the rejections to the claims have been overcome and that all remaining claims, namely claims 1-34 are currently in condition for allowance. A Notice of Allowance is respectfully requested. If there are any questions or comments that would speed prosecution of this application, the Examiner is invited to call the undersigned at 574-372-7332.

As this response is being filed within three months of the mailing of the Final Office Action, no fee is believed to be due at this time.

Respectfully submitted,

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